

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Himanshu BRAHMBHATT *et al.*

Title: **METHODS FOR TARGETED IN VITRO AND IN VIVO DRUG DELIVERY TO MAMMALIAN CELLS VIA BACTERIALLY DERIVED INTACT MINICELLS**

Appl. No.: 10/588,028

International

Filing Date: 1/27/2005

371(c) Date: 4/30/07

Examiner: Anoop Kumar Singh

Art Unit: 1632

Confirmation

Number: 1320

**STATEMENT OF SUBSTANCE OF INTERVIEW**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance to 37 C.F.R. § 1.133, applicant submits this record of the substance of an interview conducted on September 17, 2010, with respect to the captioned application. Along with the undersigned counsel to applicant, the interview involved Examiner Anoop Singh and the named co-inventors, Dr. Himanshu Brahmbhatt and Dr. Jennifer MacDiarmid. This statement is timely because it is filed within one month of September 22, 2010, the mailing date of the Interview Summary.

Over the course of the September 17<sup>th</sup> interview, Drs. Brahmbhatt and MacDiarmid discussed the claimed invention and their discovery, embodied in that invention, that small molecule drugs can enter intact, bacterially derived minicells along a concentration gradient

but do not move out when the gradient is reversed, *e.g.*, upon systemic administration of drug-loaded minicells.

Examiner Singh was heard to acknowledge the unexpected nature of this aspect of the invention and to recommend the applicant's submission of evidence concerning the generality of the discovery across a range of small molecule drugs. Applicant's counsel welcomed both this suggestion and another by Examiner Singh, that applicant should address the definition of "minicell" and "small molecule drug," respectively, perhaps by way of a supplemental response.

Respectfully submitted,

Date October 21, 2010

By /Stephen A. Bent/

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5404  
Facsimile: (202) 672-5399

Stephen A. Bent  
Attorney for Applicant  
Registration No. 29,768